

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 5

Tuesday, May 31, 2005

The North York Community Council met on Tuesday, May 31, 2005, in the Council Chambers, North York Civic Centre, commencing at 9:40 a.m.

Attendance:

Members were present for some or all of the time periods indicated.

	9:40 a.m. to 12:45 p.m.	2:10 p.m. to 4:35 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	
Councillor Filion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe	x	x
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Stintz	x	x

On motion by Councillor Feldman, Ward 10 – York Centre, the minutes of the meeting of the North York Community Council held on May 3, 2005 were confirmed.

5.1 Traffic Calming Measures (speed humps) – Bolingbroke Road, Lawrence Avenue West to Wenderly Drive (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, North District, reporting on the need for traffic calming measures and results of the traffic calming poll on Bolingbroke Road, Lawrence Avenue West to Wenderly Drive.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Bolingbroke Road, Lawrence Avenue West to Wenderly Drive.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended to City Council that:

- (1) City Council adopt the staff recommendation in the Recommendation Section of the report (February 11, 2005) from the Director, Transportation Services, North District, and traffic calming measures (speed humps) not be installed on Bolingbroke Road, Lawrence Avenue West to Wenderly Drive; and
- (2) the maximum speed limit on Bolingbroke Road be reduced to 40 km/h, from Lawrence Avenue West to Wenderly Drive.

(Report 5, Clause 1)

5.2 Front Yard Parking and Driveway Widening – Request for Information from Toronto and East York Community Council (All Wards)

The North York Community Council considered a report (May 17, 2005) from the Acting General Manager, Transportation Services, reporting on a request by Toronto and East York Community Council that certain information related to residential off-street parking (front yard parking and driveway widening) be relayed to each Community Council for their May 31, 2005 meetings, for consideration as a deputation item.

Recommendation:

It is recommended that this report be received for information.

The North York Community Council also considered the following communications:

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (April 18, 2005) from the City Clerk, advising that City Council, at its meeting on April 12, 13 and 14, 2005, adopted, without amendment, Clause 76 of Report 3 of the Toronto and East York Community Council, headed “Front Yard Parking and Driveway Widening”, and by so doing, requested that the following reports be submitted to the May 31, 2005 meeting of each Community Council for consideration as a deputation item:
 - (1) the Acting Commissioner of Works and Emergency Services to report on:
 - (a) the total number of licensed front yard parking pads and legal driveway widenings within each Community Council area, with the figures broken down for the past two years;
 - (b) the impact that front yard parking and driveway widening may have on stormwater management and on public on-street parking; and
 - (c) an estimate of the number of unlicensed front yard parking and driveway installations; and
 - (2) the Commissioner of Urban Development Services to report on the implications on Toronto’s streetscape resulting from front yard parking and driveway widenings.
 - (May 30, 2005) from Ian McGillivray.

Kathy Coorsh appeared before the North York Community Council.

- A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the North York Community Council receive the report (May 17, 2005) from the Acting General Manager, Transportation Services.
- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the Acting General Manager, Transportation Services, be requested to report to the Planning and Transportation Committee on:
 - (a) a standardized policy for dealing with illegal pads including:
 - (i) retroactive payment of permit fees;
 - (ii) blocking access to illegal pads;
 - (iii) preventing delays to street re-construction and paving; and
 - (iv) restrictions on future applications for curb cuts;

North York Community Council Minutes
Tuesday, May 31, 2005

- C. Councillor Carroll, Ward 33 – Don Valley East, moved in amendment to Motion B., by Councillor Moscoe, that the Acting General Manager, Transportation Services be further requested to report to the Planning and Transportation Committee in a proposed policy to require permeable surfacing on all front yard parking and driveway widenings.
- D. Councillor Shiner, Ward 24 – Willowdale, moved that the Acting General Manager, Transportation Services, be requested to report on other materials besides asphalt and interlocking brick that can be used for a parking surface and the appropriate by-laws that should be adopted to permit these materials instead of asphalt or interlocking brick.

Upon the question of the adoption of Motion A., by Councillor Stintz, it was carried.

Upon the question of the adoption of Motion C., by Councillor Carroll, in amendment to Motion B., by Councillor Moscoe, it was carried.

Upon the question of the adoption of Motion B., by Councillor Moscoe, as amended, it was carried.

Upon the question of the adoption of Motion D., by Councillor Shiner, it was carried.

(Report 5, Other Items Clause 51(a))

5.3 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit driveway widening for a second parking space at 19 Old Orchard Grove (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 19 Old Orchard Grove, which does not meet the requirements of the Code.

Recommendations:

- (1) City Council denies the application for driveway widening for a second parking space at 19 Old Orchard Grove
- or

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (2) City Council approves the application for driveway widening for a second parking space at 19 Old Orchard Grove, as shown on Appendix 'B', subject to:
- (a) the new parking area not exceeding 2.1 metres by 5.9 metres in dimension;
 - (b) both parking areas being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the Acting General Manager of Transportation Services
 - (c) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix 'C', to the satisfaction of the Acting General Manager of Transportation Services; and
 - (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

Angelo Grittani, appeared before the North York Community Council, on behalf of the applicant, and filed a copy of the landscape concept plan dated May 26, 2005, a copy of which is on file in the City Clerk's Office, North York Civic Centre.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt staff Recommendation (2) in the Recommendations Section of the report (May 11, 2005) from the Director, Transportation Services, North York District, as follows:

- “(2) City Council approve the application for driveway widening for a second parking space at 19 Old Orchard Grove, as shown on Appendix 'B', be approved subject to:
- (a) the new parking area not exceeding 2.1 metres by 5.9 metres in dimension;
 - (b) both parking areas being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent paving treatment acceptable to the Acting General Manager of Transportation Services;
 - (c) the applicant providing the landscape features substantially in accordance with the plan as shown on Appendix 'C', to the satisfaction of the Acting General Manager of Transportation Services; and

- (d) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code”.

(Report 5, Clause 2)

Councillor Augimeri, Vice-Chair, assumed the Chair.

5.4 Request for Removal of Post Road – Bridle Path Speed Bumps (Ward 25 – Don Valley West)

The North York Community Council considered a communication (May 19, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Ratepayers & Community Association.

The North York Community Council also considered a communication (May 25, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Ratepayers & Community Association, including a petition dated July 6, 2004 signed by 67 EMS Paramedics.

The following persons appeared before the North York Community Council:

- W. H. Winter, President, Don Valley East Ratepayers Association;
- Michael Dosman, President, Victoria Village Community Association;
- Gordon MacKendrick, Don Valley East Residents and Ratepayers Inc.; and
- Terry West, Don Mills Residents Inc.

Scott Cowden, District Fire Chief, Emergency Management, Fire Services, responded to questions presented by Members of the North York Community Council

Councillor Moscoe, at 12:30 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, that the North York Community Council, waive the requirement of the 12:30 p.m. recess in order to complete consideration of this item, which was carried, more than two-thirds of members present having voted in the affirmative.

- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council:

North York Community Council Minutes
Tuesday, May 31, 2005

- (1) defer the request for the removal of speed bumps on Post Road – Bridle Path, as outlined in the communication (May 19, 2005) from Gordon MacKendrick, Executive Member, Don Valley East Residents & Ratepayers Inc.; and
 - (2) request the Director, Transportation Services, North York District, to meet with the local Councillor and ratepayers to review the speed hump pattern in the neighbourhood and consider replacing speed humps on one of the streets with an alternative set of turn and/or access restrictions that will limit transient traffic and at the same time clear a route through this neighbourhood for emergency vehicles;
- B. Councillor Pitfield, Ward 26 – Don Valley West, moved that the Director, Transportation Services be requested to report on:
- (a) the original cost of installing the speed bumps in 1995; and
 - (b) the cost of removing any of the speed bumps.

Councillor Augimeri assumed the Chair.

- C. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that:
- (1) the Director, Transportation Services, North York District, be requested to:
 - (a) include representatives from the Don Valley East Ratepayers and Residents Inc., the Don Mills Residents Inc., the Victoria Village Community Association and the O'Connor Hills Ratepayers Inc. in the consultation process;
 - (b) submit a report, within six months, to the North York Community Council on:
 - (i) the cost of grinding down the speed bumps;
 - (ii) the vehicle travel count on Lawrence Avenue East between The Bridle Path and Leslie Street;
 - (iii) the Emergency Medical Services response on time differences during the A.M. and P.M. peak periods experienced by emergency vehicles in travelling to Sunnybrook Hospital from Lawrence Avenue East and Don

North York Community Council Minutes
Tuesday, May 31, 2005

Mills Road and using The Bridle Path and Eglinton Avenue East respectively;

- (2) that the Trauma Unit at Sunnybrook Hospital be given the opportunity to provide their comments on this report; and
 - (3) the local councillor provide notice to the local community when the report is considered by the North York Community Council.
- D. Councillor Jenkins, Ward 25 – Don Valley West, moved that the report from the Director, Transportation Services, North York District, also include the Emergency Medical Services response on time differences during the A.M. and P.M. peak periods experienced by emergency vehicles in traveling to Sunnybrook using York Mills Road from the Don Mills community.
- E. Councillor Pitfield, Ward 26 – Don Valley West, moved that a letter be forwarded from the Chair, North York Community Council to the Works Committee requesting that all reports regarding the installation of speed humps include all comments received from all departments, especially Emergency Services.

Recorded Votes:

A recorded vote on Part (1)(a), Part (1)(b)(ii) & (iii), Part (2), and Part (3) moved by Councillor Minnan-Wong, was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Li Preti, Carroll, Pitfield

AGAINST: Councillors Moscoe, Filion, Jenkins

ABSENT: Councillors Feldman, Shiner

Carried

A recorded vote on Part (2) of Motion A., moved by Councillor Moscoe, was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Moscoe, Li Preti, Filion, Jenkins, Carroll, Pitfield

AGAINST: Nil

ABSENT: Councillors Feldman, Shiner

Carried.

Part (1) of Motion A., by Councillor Moscoe, carried.

Motion B., by Councillor Pitfield and Part (1)(b)(i) moved by Councillor Minnan-Wong, carried.

(Report 5, Other Items Clause 51(b))

Councillor Minnan-Wong resumed the Chair.

5.5 Community Safety Zone – Grandravine Drive (Ward 8 – York West and Ward 9 – York Centre)

The North York Community Council considered a report (March 29, 2005) from the Director, Transportation Services, North District, reporting on a request to introduce a Community Safety Zone on Grandravine Drive, Driftwood Avenue to Keele Street.

Recommendation:

It is recommended that this report be received for information purposes only.

The North York Community Council also considered a communication (May 26, 2005) from Glenn De Caire, Superintendent, No. 31 Division, Toronto Police Service.

The following persons appeared before the North York Community Council:

- Giuseppe Astrella, Grandravine Home Owners' Association; and
 - Sergio Balmont-Appendini.
- A. Councillor Augimeri, Ward 9 – York Centre, moved that the staff recommendation in the Recommendation Section of the report (March 29, 2005) from the Director, Transportation Services, North District, be adopted and the report be received for information purposes only.
 - B. Councillor Li Preti, Ward 8 – York West, moved that the staff recommendation in the Recommendation Section of the report (March 29, 2005) from the Director, Transportation Services, North District, not be adopted and the request to introduce a Community Safety Zone on Grandravine Drive, Driftwood Avenue to Keele Street, be approved.
 - C. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the Toronto Police Services put Grandravine Drive under special attention and that there be additional radar enforcement on Grandravine Drive.

- D. Councillor Carroll, Ward 33 – Don Valley East, moved that the North York Community Council:
- (1) defer the report (March 29, 2005) from the Director of Transportation Services, North District, to its next meeting on July 5, 2005; and
 - (2) request the Director of Transportation Services, North District to submit a report to the North York Community Council on the traffic situation on Grandravine Drive.
- E. Councillor Pitfield, Ward 26 – Don Valley West, moved that the North York Community Council request that a representative of the Toronto Police Services attend the next meeting of the North York Community Council to respond to any questions regarding Community Safety Zones.

Upon the question of the adoption of Motion C., moved by Councillor Moscoe, it was carried.

Upon the question of the adoption of Motion D., moved by Councillor Carroll, it was carried.

Upon the question of the adoption of Motion E., moved by Councillor Pitfield, it was carried.

Having regard for the foregoing decision of the North York Community Council, Motion A., moved by Councillor Augimeri, and Motion B., moved by Councillor Li Preti, were not voted upon.

(Report 5, Other Items Clause 51(c))

5.6 Encroachment Agreement – 33 Donwoods Drive (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 16, 2005) from the North District Manager, Municipal Licensing and Standards, reporting on a request on behalf of the property owner, from Terry Wilks, Landscape Architect, to approve a landscaping encroachment on the municipal right-of-way at 33 Donwoods Drive.

Recommendations:

It is recommended that the encroachment be approved, subject to the following conditions:

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (1) that the owner(s) enter into a Boulevard Lease Agreement with the City to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
 - (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
 - (3) that no claims will be made against the City by the owner(s) for damage occurring to the area of encroachment or its elements during snow removal;
 - (4) that the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
 - (5) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
 - (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing & Standards;
 - (7) the owner(s) will, at their expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
 - (8) the owners pay the following fees:
 - (i) Legal Administration Cost and Registration, plus dispersments, including G.S.T.;
 - (ii) Annual fee of \$3.46 per square metre, for 225 square metres, totalling \$778.50, plus G.S.T. for 2005.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 16, 2005) from the North District Manager, Municipal Licensing and Standards.

(Report 5, Clause 3)

5.7 Boulevard Leasing Agreement – 616 Vaughan Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 16, 2005) from the North District Manager, Municipal Licensing and Standards, reporting on a request by Francesco Sciabbarrasi of Jaffer's Hospitality Inc., to lease a portion of the municipal boulevard at 616 Vaughan Road, for the purpose of a boulevard patio café.

Recommendations:

Council consider granting a Boulevard Café License permit to lease an area of municipal right-of-way boulevard of 3.69 x 10.36 metres for a total area of 38 square metres, subject to the following conditions:

- (a) that the applicant enter into a Boulevard Lease Agreement with the City for a Patio Café license to the satisfaction of the Executive Director of Municipal Licensing & Standards;
- (b) that the Boulevard lease Patio Café license be renewable on an annual basis with the appropriate insurance in place and any required fees being paid;
- (c) that a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
- (d) that no claims will be made against the City by the owner(s) for damage occurring to the patio, equipment, enclosure or its elements during snow removal;
- (e) that the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing & Standards;
- (f) the licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, gas pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;
- (g) in default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (h) the licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;
 - (i) the licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards, keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit.
 - (j) the licensee pays an annual fee to the City of Toronto in accordance with former City of York Municipal Code Chapter 1004.12 namely \$25.00 plus \$5.50 per square metre, including G.S.T.
 - (k) the licensee will secure an endorsement on their business license for a patio café from Municipal Licensing & Standards.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 16, 2005) from the North District Manager, Municipal Licensing and Standards, and that the request by Francesco Sciabbarrasi of Jaffer's Hospitality Inc. to lease a portion of the municipal boulevard at 616 Vaughan Road, for the purpose of a boulevard café, be approved, subject to the following conditions:

- (1) that the applicant enter into a Boulevard Lease Agreement with the City for a Patio Café license to the satisfaction of the Executive Director of Municipal Licensing & Standards;
- (2) that the Boulevard lease Patio Café license be renewable on an annual basis with the appropriate insurance in place and any required fees being paid;
- (3) that a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
- (4) that no claims will be made against the City by the owner(s) for damage occurring to the patio, equipment, enclosure or its elements during snow removal;

North York Community Council Minutes
Tuesday, May 31, 2005

- (5) that the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing & Standards;
- (6) the licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, gas pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;
- (7) in default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;
- (8) the licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;
- (9) the licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards, keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit;
- (10) the licensee pays an annual fee to the City of Toronto in accordance with former City of York Municipal Code Chapter 1004.12 namely \$25.00 plus \$5.50 per square metre, including G.S.T.; and
- (11) the licensee will secure an endorsement on their business license for a patio café from Municipal Licensing & Standards.

(Report 5, Clause 4)

5.8 Renewal of Patio Café Licence – 1678 Avenue Road - The Bistro on Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered Consolidated Clause 2 of North York Community Council Report 2, headed “Renewal of Patio Café Licence – 1678 Avenue Road – The Bistro on Avenue (Ward 16 – Eglinton-Lawrence), which City Council on February 16, 2005, referred back to the North York Community Council for further consideration.

The North York Community Council also considered a report (May 16, 2005) from the North District Manager, Municipal Licensing and Standards, reporting on a request by The Bistro on Avenue Inc. to renew a (revised) boulevard lease license for a Patio Café at the above location.

Recommendations:

Council consider granting a Boulevard Café License permit subject to the following conditions:

- (a) that a Building permit approval, as necessary, be acquired for the structural attachment of any part of the enclosure affixed to the building;
- (b) that a Building permit HVAC approval, as necessary, be acquired for the proposed area heater; that if any propane operated equipment, (barbeque or heater), is within the enclosure area, a certificate from the Ministry of Consumer and Commercial Relations is acquired for all operators and equipment;
- (c) that an Electrical Safety Inspection Certificate be acquired for any electrical lighting or heating elements within the enclosure;
- (d) that a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
- (e) that the Boulevard lease Café license be renewable on an annual basis with the appropriate insurance in place and any required fees being paid;
- (f) that the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing & Standards;
- (g) the licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, gas pipes,

North York Community Council Minutes
Tuesday, May 31, 2005

pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;

- (h) in default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;
- (i) the licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;
- (j) the licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit.

The following persons appeared before the North York Community Council on May 31, 2005:

- Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol, on behalf of the applicant;
- Rhys Fockler; and
- Diane Cartwright.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (May 16, 2005) from the North District Manager, Municipal Licensing and Standards, and that the request by The Bistro On Avenue Inc. to renew a (revised) boulevard lease license for a Patio Café at 1678 Avenue Road, be approved, subject to the following conditions:
 - (a) that a Building permit approval, as necessary, be acquired for the structural attachment of any part of the enclosure affixed to the building;

North York Community Council Minutes
Tuesday, May 31, 2005

- (b) that a Building permit HVAC approval, as necessary, be acquired for the proposed area heater; that if any propane operated equipment, (barbeque or heater), is within the enclosure area, a certificate from the Ministry of Consumer and Commercial Relations is acquired for all operators and equipment;
- (c) that an Electrical Safety Inspection Certificate be acquired for any electrical lighting or heating elements within the enclosure;
- (d) that a Street Allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
- (e) that the Boulevard lease Café license be renewable on an annual basis with the appropriate insurance in place and any required fees being paid;
- (f) that the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing & Standards;
- (g) the licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, gas pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;
- (h) in default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;
- (i) the licensee under the agreement must provide the City of Toronto with a certificate of insurance evidencing a third party bodily injury and property damage insurance in an amount not less than \$2,000,000 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy; and

- (j) the licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing & Standards keep and maintain the boulevard café enclosure and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit.
- (2) receive the report (November 30, 2005) from the North District Manager, Municipal Licensing and Standards.

(Report 5, Clause 5)

5.9 Removal of One Privately Owned Tree – 95 Lord Seaton Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (March 23, 2005) from the Commissioner of Economic Development, Culture and Tourism, reporting on an application for a permit to remove one black walnut tree having a diameter measuring 56 cm on private property that has been filed on behalf of the owner of 95 Lord Seaton Road.

Recommendations:

- (1) The request for a permit to remove one privately owned black walnut tree at 95 Lord Seaton Road be denied; or
- (2) The request for a permit to remove one privately owned black walnut tree at 95 Lord Seaton Road be approved subject to conditions.

The North York Community Council also considered a submission from Michelle Visser, including a communication (January 19, 2005) from Michelle Visser and a communication (January 19, 2005) from Jacqueline and Daniel Lecomte and Cindy Weiner and Kevin Brilinger, her neighbours, indicating that they have no objection to the removal of the black walnut tree.

Michelle Visser, applicant, appeared before the North York Community Council.

- A. Councillor Jenkins, Ward 25 – Don Valley West, moved that the North York Community Council recommend that City Council adopt staff recommendation (2) in the Recommendations Section of the report (March 23, 2005) from the Commissioner of Economic Development, Culture and Tourism, as follows:

“(2) the request for a permit to remove one privately owned black walnut tree at 95 Lord Seaton Road be approved subject to conditions.”

A recorded vote on Motion A., moved by Councillor Jenkins, Ward 25 – Don Valley West, was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Li Preti, Filion, Jenkins, Carroll

AGAINST: Councillor Moscoe

ABSENT: Councillors Feldman, Shiner, Pitfield.

Carried.

(Report 5, Clause 6)

5.10 Inclusion on the City of Toronto Inventory of Heritage Properties – 2130 Bayview Avenue (William Booth Memorial College) – 2130 Bayview Avenue (Ward 25 – Don Valley West)

The North York Community Council considered:

- report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties; and
 - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- communication (May 18, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on May 12, 2005, recommended to the North York Community Council that City Council adopt the

North York Community Council Minutes
Tuesday, May 31, 2005

staff recommendations in the Recommendations Section of the report (April 18, 2005) from the Director, Policy and Research, City Planning Division.

- report (April 18, 2005) from the Director, Policy and Research, City Planning Division, addressed to the Toronto Preservation Board and the North York Community Council, reporting on recommending that City Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) City Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Andrew Jeanrie, Fraser Milner Casgrain, LLP, appeared before the North York Community Council, on behalf of the applicant.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (April 18, 2005) from the Director, Policy and Research, City Planning Division; and
- (2) receive the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism.

(Report 5, Clause 7)

5.11 Request for Approval of Variance from the former Municipality of Metropolitan Toronto By-law No. 118, as amended, for the erection of a projecting sign at 2518 Yonge Street (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 16, 2005) from the Director of Building and Deputy Chief Building Official, reviewing and making recommendations on a request by Sidney Paul of PDA Architects, on behalf of Kiehl's – L'Oreal Canada, for a variance from the former Municipality of Metropolitan Toronto

By-law No. 118, as amended, to permit the erection of a projecting sign overhanging public property at 2518 Yonge Street.

Recommendations:

It is recommended that:

- (1) the request for the variance be approved with following conditions:
 - (a) the applicant enter into an Encroachment Agreement with the City of Toronto, subject to approval of Works and Emergency Services, Transportation Services Division; and
 - (b) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits from the Chief Building Official.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the following report (May 16, 2005) from the Director of Building and Deputy Chief Building Official.

(Report 5, Clause 8)

5.12 Community Police Liaison Poster Contest Competition

On behalf of the Members of the North York Community Council, Councillor Denzil Minnan Wong, Chair, welcomed Lorrie Ming-Su and Inspector John Wallace, Co-Chairs of the 32 Division Community Police Liaison Committee.

Councillor Minnan Wong advised that each year, to commemorate March 21 – The International Day for the Elimination of Racial Discrimination, the 32 Division Community Police Liaison Committee sponsors a poster contest for Grade 7 and 8 students attending school within the local community. Students were encouraged to paint or draw a picture that expresses their understanding of racism or how to eliminate it. Each entry is evaluated for its merit as an educational tool to stimulate the minds of peers and younger children across the City to help put an end to racism. The three winning posters will be hung in 32 Division for public viewing.

Councillor Minnan Wong invited Lorrie Ming-Sun to announce the 4th to 10th runners-up and Inspector John Wallace to present the gift certificates to the following students:

Sally Kim	Grade 7	Cardinal Carter Academy for the Arts
Tony Shi	Grade 8	Charles H. Best Middle School
Maria Sakovsky	Grade 8	Charles H. Best Middle School

North York Community Council Minutes
Tuesday, May 31, 2005

Fiona Chan	Grade 8	Cummer Valley Middle School
Deanna Soloninka	Grade 7	Cummer Valley Middle School
Kimberly Barrera	Grade 8	St. Robert Catholic School
Allesandra Tartaglia	Grade 7	St. Robert Catholic School

Lorrie Ming-Sun introduced the top three winners as follows:

- 1st Prize – Barb Waginski, Grade 8 Student at Cardinal Carter Academy for the Arts;
2nd Prize – Natasha Alksnis, Grade 8 Student at St. Edward Catholic School; and
3rd Prize – Shirley Lu, Grade 8 Student at Charles H. Best Middle School

Councillor Minnan-Wong with the assistance of Inspector John Wallace presented the 3rd place award and gift certificate to Shirley Lu, Grade 8 student at Charles H. Best Middle School; and Councillor Filion, with the assistance of Inspector John Wallace presented the 2nd place award and gift certificate to Natasha Alksnis, Grade 8 Student at St. Edward Catholic School and the 1st place award and gift certificate to Barb Waginski, Grade 8 student at Cardinal Carter Academy for the Arts.

The North York Community Council received the presentation to the recipients of the Elimination of Racism Poster Competition.

(Report 5, Other Items Clause 51(d))

5.13 Request for Poll – Traffic Calming – Brookbanks Drive, from Fenside Drive to Cassandra Boulevard (Ward 34 – Don Valley East)

The North York Community Council considered a Resolution submitted by Councillor Minnan-Wong, Ward 34 – Don Valley East, for consideration by the North York Community Council:

“WHEREAS residents of Brookbanks Drive, Fenside Drive to Cassandra have expressed concern with regards to the vehicle operating speeds on the road;

WHEREAS residents of Brookbanks Drive, Fenside Drive to Cassandra Boulevard have expressed concerns with vehicle collisions;

WHEREAS the Transportation Services Division has advised that existing traffic and road conditions satisfy the Traffic Calming Warrant Criteria of the City of Toronto Traffic Calming Policy;

THEREFORE BE IT RESOLVED THAT the appropriate staff be authorized to conduct a poll of eligible residents of Brookbanks Drive, Overbank Crescent, Truxford Road, Sagebrush Lane, Lichen Place, and Brushwood Court for the traffic calming plan, in accordance with the City of Toronto Traffic Calming Policy and public notice be given

North York Community Council Minutes
Tuesday, May 31, 2005

pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and Toronto Police Services:

BE IT FURTHER RESOLVED that subject to favourable results of the poll:

- (i) A by-law be prepared for the alteration of sections Brookbanks Drive;
- (ii) Pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and

BE IT FURTHER RESOLVED THAT the appropriate city officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any bills that are required.”

Adam Berel Wetstein appeared before the North York Community Council.

- A. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that the North York Community Council recommend that City Council adopt the Resolution.
- B. Councillor Jenkins, Ward 25 – Don Valley West, moved in amendment to Motion A., by Councillor Minnan-Wong, that the Resolution be adopted, subject to deleting the words, “a by-law be prepared for the alteration of sections of Brookbanks Drive” in Item (i) of the second Operative Paragraph and inserting instead, the words, “a report be submitted for the consideration of the North York Community Council.”
- C. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that the second operative paragraph be further amended by inserting the following words:

“such report to include some design options that could be subject to community consultation.”

Upon the question of the adoption of Motion C., by Councillor Minnan-Wong, it was carried.

Upon the question of the adoption of Motion B., by Councillor Jenkins, it was carried.

Upon the question of the adoption of Motion A., by Councillor Minnan-Wong, it was carried.

(Report 5, Clause 9)

5.14 Request for Study – Zoning Use in area of Wynford/Concorde Community (Ward 26 – Don Valley West)

The North York Community Council considered a communication (May 12, 2005) from Councillor Pitfield, Ward 26 – Don Valley West, requesting that a study of the zoning in the area of Wynford/Concorde Community be conducted, and that the zoning in the New Official Plan for this area be amended to “Employment Area”.

A. Councillor Pitfield, Ward 26 – Don Valley West, moved that the North York Community Council recommend to City Council that:

- (1) the new Official Plan designation for the “industrial zoned” lands north of Wynford Drive and west of Concorde be re-designated from the proposed “mixed use” in the new Official Plan, which was done without the knowledge of the local community, the landowners or the Ward Councillor, to “employment area”; and
- (2) the Chief Planner and Executive Director, City Planning, be directed to bring forward an Official Plan Amendment re-designating these lands and that a statutory public meeting be held at the September 12, 2005 Planning and Transportation Committee meeting.

A recorded vote on the Motion A., moved by Councillor Pitfield, Ward 26 – Don Valley West, was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Moscoe, Li Preti, Fillion, Jenkins, Carroll, Pitfield

AGAINST: Nil

ABSENT: Councillors Feldman and Shiner

Carried Unanimously

(Report 5, Clause 10)

5.15 Payment-in-Lieu of Parking – Kayvan Pazuki – 80 Finch Avenue East (Ward 24 – Willowdale)

The North York Community Council considered a report (April 25, 2005) from the Director, Transportation Services, North York District, seeking Council’s approval to exempt the applicant from a parking deficiency of two (2) parking spaces, subject to payment-in-lieu of parking.

Recommendation:

It is recommended that payment-in-lieu of parking of \$5,000.00 be approved for a deficiency of two (2) parking spaces.

The North York Community Council also considered a supplementary Report (May 17, 2005) from the Director, Transportation Services, North York District, seeking Council's approval to exempt the applicant from a parking deficiency of two (2) parking spaces, subject to payment-in-lieu of parking.

Recommendation:

It is recommended that payment-in-lieu of parking of \$5,000.00 be approved for a deficiency of two (2) parking spaces.

The North York Community Council also considered a communication (May 16, 2005) from J.M. Mark, Mark Engineering, addressed to Magid Pazuki, reporting on the findings of the parking usage study.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended that City Council:

- (1) adopt the staff recommendation in the Recommendation Section of the supplementary report (May 17, 2005) from the Director, Transportation Services, North District;
- (2) receive the report (April 25, 2005) from the Director, Transportation Services, North District.

(Report 5, Clause 11)

5.16 Payment-In-Lieu of Parking – Mary Mizzi – 1980 Eglinton Avenue West (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, seeking Council's approval to exempt the applicant from a parking deficiency of fourteen (14) spaces, subject to payment-in-lieu of parking.

Recommendation:

It is recommended that payment-in-lieu of parking \$35,000.00 be approved for a deficiency of fourteen (14) parking spaces. It should be noted that there also is a

deficiency of one (1) residential parking space, which is not subject to payment-in-lieu of parking.

The North York Community Council also considered a communication addressed to Councillor H. Moscoe, Ward Councillor, from Jin Fang Xue, applicant, outlining the reasons for requesting relief from the payment-in-lieu of parking requirement.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that:

- (1) the report (May 11, 2005) from the Director, Transportation Services, North York District, be received; and
- (2) in view of the fact that a liquor licence has existed on this property since 1998, the current application be considered legal non-conforming with respect to the parking requirements stipulated in By-law 1-83 (former City of York) and the payment-in-lieu of parking requirement be waived.

(Report 5, Clause 12)

5.17 All Way Stop Control – Addison Crescent (north leg) at Duncairn Road (Ward 25 – Don Valley West)

The North York Community Council considered the following reports/communications:

- report (March 29, 2005) from the Director, Transportation Services, North York District, reporting on a request to install all way stop control at the intersection of Addison Crescent (south leg) at Duncairn Road.

Recommendation:

It is recommended that this report be received for information only.

- report (May 11, 2005) from the Director, Transportation Services, North York District, providing information relative to the relocation of the guide rail in the parking facility at Bond Park.

Recommendation:

It is recommended that this report be received for information.

- communication (May 29, 2005) from Deborah Russell; and
- communication (May 29, 2005) from Martha Ferguson.

Terry West, President, Don Mills Residents Inc., appeared before the North York Community Council.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council:

- (1) not adopt the staff recommendations in the Recommendations Section of the reports (March 29 and May 11, 2005) from the Director, Transportation Services, North District;
- (2) approve the installation of an all way stop control at the intersections of Duncairn Road with Addison Crescent (south leg) and Hemford Crescent (north leg); and
- (3) approve the removal of the stop signs upon an acceptable resolution to the access to Bond Park from Bond Avenue, under the abandoned railway spur line.

(Report 5, Clause 13)

5.18 Traffic Calming Measures (speed humps) – Ridgevale Drive, from Lynnhaven Road to Prince Charles Drive (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on the need for traffic calming measures (speed humps) and results of the traffic calming poll on Ridgevale Drive from Lynnhaven Road to Prince Charles Drive.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Ridgevale Drive, from Lynnhaven Road to Prince Charles Drive.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that:

- (1) the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District, be received;
- (2) in recognition of the sixty-two percent (62%) plurality of ballots received, the traffic calming measures (speed humps), as illustrated in attachment 2

of the staff report, be installed on Ridgevale Drive, from Lynnhaven Road to Prince Charles Drive;

- (3) by-laws be prepared for the alteration of sections of the affected road and the reduction of the speed limit to 30 km/h;
- (4) pursuant to the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
- (5) the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

(Report 5, Clause 14)

5.19 Traffic Calming Measures (speed humps) – Hillmount Avenue, from Dalemout Avenue to Shermount Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on the need for traffic calming measures and results of the traffic calming poll on Hillmount Avenue, from Dalemout Avenue to Shermount Avenue.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Hillmount Avenue, from Dalemout Avenue to Shermount Avenue.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 10, 2005) from the Director, Transportation Services, North York District, and that traffic calming measures (speed humps) not be installed on Hillmount Avenue, from Dalemout Avenue to Shermount Avenue.

(Report 5, Clause 15)

5.20 Traffic Calming Measures (speed humps) – Belgravia Avenue, from Times Road to Marlee Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on the need for traffic

calming measures and results of the traffic calming poll on Belgravia Avenue, from Times Road to Marlee Avenue.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Belgravia Avenue, from Times Road to Marlee Avenue.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 10, 2005) from the Director, Transportation Services, North York District, and that traffic calming measures (speed humps) not be installed on Belgravia Avenue, from Times Road to Marlee Avenue.

(Report 5, Clause 16)

5.21 Northbound Lane Designation – Chatsworth Drive at Lawrence Avenue West (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to designate traffic lanes on Chatsworth Drive at Lawrence Avenue West.

Recommendations:

It is recommended that:

- (1) the easterly northbound traffic lane on Chatsworth Drive at Lawrence Avenue West be designated for right turning vehicles only, between Lawrence Avenue West and a point 30 metres southerly thereof;
- (2) the westerly northbound traffic lane on Chatsworth Drive at Lawrence Avenue West be designated for left turning vehicles only, between Lawrence Avenue West and a point 30 metres southerly thereof; and
- (3) the appropriate by-law(s) be amended accordingly.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 17)

5.22 Southbound Left Turn Prohibition – Lanark Avenue, west of Oakwood Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to prohibit southbound left turns when exiting the parking facility at 1605 Eglinton Avenue West.

Recommendations:

It is recommended that:

- (1) Schedule XV of By-law Nos. 196-84 and 2958-94 of the former City of York, be amended to prohibit southbound left turns from the driveway access from 1605 Eglinton Avenue West (Green "P" Parking Facility) onto Lanark Avenue; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 18)

5.23 Pedestrian Crossing Prohibitions – Alness Street at Steeles Avenue West (Ward 8 – York West)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to regulate pedestrian crossings at the intersection of Alness Street and Steeles Avenue West.

Recommendations:

It is recommended that:

- (1) pedestrian crossings be prohibited on Steeles Avenue West, between the east curb line of Alness Street and a point 30.5 metres west of the west curb line of Alness Street; and

- (2) the appropriate by-law(s) be amended accordingly.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 19)

5.24 Traffic Calming Measures (speed humps) – Glengrove Avenue, from Haven Road to Ennerdale Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on the need for traffic calming measures (speed humps) and results of the traffic calming poll on Glengrove Avenue, from Haven Road to Ennerdale Road.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Glengrove Avenue, from Haven Road to Ennerdale Road.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 10, 2005) from the Director, Transportation Services, North York District, and that traffic calming measures (speed humps) not be installed on Glengrove Avenue, from Haven Road to Ennerdale Road.

(Report 5, Clause 20)

5.25 Traffic Calming Measures (speed humps) – Whitmore Avenue, from Dufferin Street to Locksley Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on the need for traffic calming measures and results of the traffic calming poll on Whitmore Avenue, from Dufferin Street to Locksley Avenue.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Whitmore Avenue, from Dufferin Street to Locksley Avenue.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 10, 2005) from the Director, Transportation Services, North York District, and that traffic calming measures (speed humps) not be installed on Whitmore Avenue, from Dufferin Street to Locksley Avenue.

(Report 5, Clause 21)

5.26 Parking Prohibitions – Quilter Road (Ward 23 – Willowdale)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to amend the parking regulations on Quilter Road.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001 of the former City of North York, be amended by deleting the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday, prohibition on the west side of Quilter Road, from a point 44 metres north of the northerly limit of Sheppard Avenue West to the southerly limit of Burnett Avenue;
- (2) Schedule VIII of By-law No. 31001 of the former City of North York, be amended by prohibiting parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the west side of Quilter Road, from the southerly limit of Burnett Avenue to the northerly limit of Burndale Avenue; and
- (3) Schedule VIII, of By-law No. 31001, of the former City of North York, be amended by prohibiting parking from 8:00 a.m. to 6:00 p.m., Monday to Saturday, on the west side of Quilter Road, from a point 44 metres north of the northerly limit of Sheppard Avenue West to the southerly limit of Burndale Avenue.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 22)

5.27 Parking Prohibitions – Stayner Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to prohibit parking on Stayner Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday, prohibition on the north side of Stayner Avenue, from a point 67 metres east of the easterly limit of Dufferin Street to a point 57 metres easterly thereof,
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on the north side of Stayner Avenue, from a point 124 metres east of the easterly limit of Dufferin Street to the westerly limit of Locksley Avenue; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking from 8:00 a.m. to 5:00 p.m., Monday to Friday, on the north side of Stayner Avenue, from a point 67 metres east of the easterly limit of Dufferin Street to the westerly limit of Locksley Avenue.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 23)

5.28 Parking Prohibitions – Nevada Avenue (Ward 24 – Willowdale)

The North York Community Council considered a report (May 2, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to prohibit parking on Nevada Avenue.

Recommendation:

It is recommended that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 4:00 p.m., Monday to Friday, on

the south side of Nevada Avenue, from the easterly limit of Conacher Drive to a point 40 metres easterly thereof.

The North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 2, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 24)

5.29 40 km/h Speed Zone – Locksley Avenue, Lilywood Road and Stayner Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to reduce the speed limit on Locksley Avenue, Lilywood Road and Stayner Avenue to 40 km/h.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Locksley Avenue, from the southerly limit of Lilywood Road to the northerly limit of Briar Hill Avenue to 40 km/h;
- (2) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Lilywood Road, from the westerly limit of Danesbury Avenue to the westerly limit of Locksley Avenue to 40 km/h;
- (3) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Stayner Avenue, from the westerly limit of Danesbury Avenue to the easterly limit of Dufferin Street to 40 km/h; and
- (4) the appropriate by-law(s) be amended, accordingly.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 25)

5.30 Parking Prohibitions – Pannahill Road (Ward 10 – York Centre)

The North York Community Council considered a report (May 10, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to amend the parking prohibitions on Pannahill Road.

Recommendation:

It is recommended that Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking from 8:00 a.m. to 4:00 p.m., Monday to Friday, on the north side of Pannahill Road, from the easterly limit of Honiton Street to the westerly limit of Shaftesbury Street.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 10, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 26)

5.31 School Zone Review – Blessed Margherita of Citta Di Castello Catholic School (Ward 9 – York Centre)

The North York Community Council considered a report (May 12, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to amend the limits of the school bus loading zone and parking/stopping regulations on Yatescastle Drive and Spenvalley Drive.

Recommendations:

It is recommended that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended by deleting the No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Yatescastle Drive, from the northerly limit of Spenvalley Drive to a point 183 metres northerly thereof;
- (2) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing a 15 minute Permitted Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday restriction on the east side of Yatescastle Drive, from a point 120 metres north of the northerly limit of Spenvalley Drive to a point 72 metres northerly thereof;

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (3) Schedule IX By-law No. 31001, of the former City of North York, be amended by installing a No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of Yatescastle Drive, from the northerly limit of Spenvalley Drive to a point 69 metres northerly thereof;
 - (4) By-law No. 32759, of the former City of North York, be amended by installing a School Bus Loading Zone on the east side of Yatescastle Drive, from a point 38 metres north of the northerly limit of Spenvalley Drive to a point 31 metres northerly thereof;
 - (5) Schedule XI of By-law No. 31001, of the former City of North York, be amended by installing a No Standing, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of Yatescastle Drive, from a point 69 metres north of the northerly limit of Spenvalley Drive to a point 51 metres northerly thereof;
 - (6) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the west side of Yatescastle Drive, from the northerly limit of Spenvalley Drive to the southerly limit of Arthur Griffith Drive; and
 - (7) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the south side of Spenvalley Drive, from the easterly limit of Yatescastle Drive to the westerly limit of Thwaite Avenue;

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 12, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 27)

5.32 Amendment to Parking/Stopping Prohibitions – King High Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to amend the existing parking and stopping regulations on King High Avenue.

Recommendations:

It is recommended that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended by deleting the No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday,

North York Community Council Minutes
Tuesday, May 31, 2005

prohibition on the west side of King High Avenue, from a point 122 metres south of the southerly limit of Laurelcrest Avenue to a point 198.25 metres south of the southerly limit of Laurelcrest Avenue;

- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the west side of King High Avenue, from a point 198 metres south of the southerly limit of Laurelcrest Avenue to the northerly limit of Invermay Avenue;
- (3) Schedule IX of By-Law No. 31001, of the former City of North York, be amended by installing a No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the east side of King High Avenue, from the southerly limit of Redmount Avenue to the northerly limit of Corwin Crescent; and
- (4) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing a 15 Minute Permitted Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday, restriction on the west side of King High Avenue, from the northerly limit of Redmount Road to a point 48 metres southerly thereof

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 11, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 28)

5.33 Parking Amendments – Claver Avenue, Corona Street to Bolingbroke Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to amend the existing parking regulations on Claver Avenue.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on the north side of Claver Avenue, from the easterly limit of Corona Street to the westerly limit of Bolingbroke Road; and
- (2) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing 15 Minute Permitted Parking, 8:00 a.m. to 4:00 p.m., Monday to

Friday on the north side of Claver Avenue, from the easterly limit of Corona Street to the westerly limit of Bolingbroke Road.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 11, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 29)

5.34 Turn Restrictions – Claver Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to prohibit southbound left turns from the driveway access to the postal station at 3019 Dufferin Street.

Recommendation:

It is recommended that Schedule XV of By-law No. 31001, of the former City of North York be amended to prohibit southbound left turns from the first driveway east of Dufferin Street on the north side of Claver Avenue.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council postponed indefinitely, the report (May 11, 2005) from the Director, Transportation Services, North York District.

(Report 5, Other Items Clause 51(e))

5.35 All Way Stop – Barrydale Crescent at Bramble Drive (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 13, 2005) from the Director, Transportation Services, North York District, reporting on the feasibility of installing an all way stop control at the intersection of Barrydale Crescent at Bramble Drive.

Recommendation:

It is recommended that this report be received for information only.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council:

- (1) not adopt the report (May 13, 2005) from the Director, Transportation Services, North York District; and
- (2) approve the request to install an all way stop control at the intersection of Barrydale Crescent at Bramble Drive.

(Report 5, Clause 30)

5.36 All Way Stop Control – King High Avenue and Laurelcrest Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on the feasibility of installing an all way stop control at the intersection of King High Avenue and Laurelcrest Avenue.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council:

- (1) not adopt the report (May 11, 2005) from the Director, Transportation Services, North York District; and
- (2) approve the request to install an all way stop control at the intersection of King High Avenue and Laurelcrest Avenue.

(Report 5, Clause 31)

5.37 All Way Stop Control – Delahaye Street at Luverne Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on the feasibility of installing an all way stop control at the intersection of Delahaye Street and Luverne Avenue.

Recommendation:

It is recommended that this report be received for information only.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council:

- (1) not adopt the report (May 11, 2005) from the Director, Transportation Services, North York District; and
- (2) approve the request to install an all way stop control at the intersection of Delahaye Street and Luverne Avenue.

(Report 5, Clause 32)

5.38 Turn Restrictions – Edith Drive, Eglinton Avenue West to Roselawn Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 11, 2005) from the Director, Transportation Services, North York District, reporting on obtaining approval to restrict turns at the intersection of Eglinton Avenue West and Roselawn Avenue.

Recommendations:

It is recommended that:

- (1) the eastbound and westbound No Entry, 4:00 p.m. to 6:00 p.m., Monday to Friday (bicycles excepted) restriction on Edith Drive north of Eglinton Avenue West, be deleted;
- (2) the eastbound and westbound No Entry, 4:00 p.m. to 6:00 p.m., Monday to Friday (bicycles excepted) restriction on Edith Drive north of Orchard View Boulevard, be deleted;
- (3) the eastbound and westbound No Entry, 7:00 a.m. to 9:00 a.m., Monday to Friday (bicycles excepted) restriction on Edith Drive south of Roselawn Avenue, be deleted;
- (4) eastbound left turns be prohibited, bicycles excepted, from 4:00 p.m. to 6:00 p.m., Monday to Friday, at Eglinton Avenue West and Edith Drive;
- (5) westbound right turns be prohibited, bicycles excepted, from 4:00 p.m. to 6:00 p.m., Monday to Friday, at Eglinton Avenue West and Edith Drive;
- (6) northbound through traffic be prohibited, bicycles excepted, from 4:00 p.m. to 6:00 p.m., Monday to Friday, at Eglinton Avenue West and Edith Drive;

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (7) eastbound left turns be prohibited, bicycles excepted, from 4:00 p.m. to 6:00 p.m., Monday to Friday, at Edith Drive and Orchard View Boulevard;
 - (8) westbound right turns be prohibited, bicycles excepted, from 4:00 p.m. to 6:00 p.m., Monday to Friday, at Edith Drive and Orchard View Boulevard;
 - (9) northbound through traffic be prohibited, bicycles excepted, from 4:00 p.m. to 6:00 p.m., Monday to Friday, at Edith Drive and Orchard View Boulevard;
 - (10) eastbound right turns be prohibited, bicycles excepted, from 7:00 a.m. to 9:00 a.m., Monday to Friday, at Edith Drive and Roselawn Avenue;
 - (11) westbound left turns be prohibited, bicycles excepted, from 7:00 a.m. to 9:00 a.m., Monday to Friday, at Edith Drive and Roselawn Avenue; and
 - (12) the appropriate By-law(s) be amended, accordingly.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 11, 2005) from the Director, Transportation Services, North York District.

(Report 5, Clause 33)

5.39 Final Report – Part Lot Control Application – 03 177639 NMI 25 PL – Georgian Bond Avenue Inc. – 20-48 Bond Avenue & 11-57 Preakness Drive (formerly 20 Bond Avenue) (Ward 25 – Don Valley West)

The North York Community Council considered a report (April 28, 2005) from the Director, Community Planning, North District, reporting on a request for an exemption from part lot control in order that 32 street-related townhouse units may be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (3) staff obtain proof of payment of all current property taxes for the subject site from the owner prior to the enactment of the Part Lot Control Exemption By-law;
 - (4) the by-law shall expire two years from the date of enactment; and
 - (5) the appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendation Section of the report (April 28, 2005) from the Director, Community Planning, North District.

(Report 5, Clause 34)

5.40 Final Report – Part Lot Control Application – 05 1066 72 NNY 23 PL – Toula Nessimis, Marlston Planning Consultants – 134, 136 & 138 Finch Avenue West, rear of 16, 18 & 18A Altamont Road, and part of Lot 23, Registered Plan 2056 (Ward 23 – Willowdale)

The North York Community Council considered a report (May 16, 2005) from the Director, Community Planning, North District, reporting on an application for exemption from part lot control in order to allow for 73 townhouse dwelling units to be conveyed under separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) the owner of the subject lands be required to register a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
- (3) the City Solicitor be authorized to take the necessary steps to allow for the removal of the Section 118 Restriction from title to the subject lands, upon receipt of confirmation that the Common Elements Condominium Plan has been registered;
- (4) staff obtain proof of payment of all current property taxes for the subject site from the owner prior to enactment of the Part Lot Control Exemption By-law;

- (5) the City Solicitor introduce the necessary Bills in Council to give effect to Recommendation 1 after such time as Recommendations 2 and 4 are satisfied, with such by-law to expire one year after it has been enacted; and
- (6) the appropriate City officials be authorized and directed to register the By-law on title.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 16, 2005) from the Director, Community Planning, North District.

(Report 5, Clause 35)

5.41 Final Report – Part Lot Exemption Application No. 05 103913 NNY 15 PL – Luch Ognibene – 963 Roselawn Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 13, 2005) from the Director, Community Planning, North District, reporting on a request for exemption from Part Lot Control to allow 19 street townhouse dwelling units to be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) The application be approved;
- (2) The City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) The By-law shall expire one year from the date of enactment;
- (4) The appropriate City Officials be authorized and directed to register the By-law on title; and
- (5) The Owner shall provide a tax certificate that confirms that all municipal taxes have been paid.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 13, 2005) from the Director, Community Planning, North District.

(Report 5, Clause 36)

5.42 Preliminary Report – OPA & Rezoning Application – 05 104461 NNY 10 OZ – Paolo Stellato, Vianovus Capital Corporation, c/o Cityzen Development Group – 475 Patricia Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (May 13, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council:

- (1) approved the staff recommendations in the Recommendations Section of the report (May 13, 2005) from the Director, Community Planning, North District; and
- (2) approved the following Resolution submitted by Councillor Feldman, Ward 10 – York Centre:

“WHEREAS an application has been made to amend the Official Plan and Zoning By-law for Patricia Avenue; and

WHEREAS the staff report dated May 13, 2005, from the Director, Community Planning, North District, provides preliminary information on the aforementioned application and seeks Community Council's direction on further processing of the application and on the community consultation process; and

WHEREAS the local Councillor deems it desirable to provide an expanded notification area for the community consultation in order to ensure that residents in the vicinity are provided with sufficient opportunity to provide their comments on the proposal;

NOW THEREFORE BE IT RESOLVED THAT notice for the community consultation be expanded to include landowners and residents on the west side of Bathurst Street between Rockford Road to the north and Antibes Drive to the south, 15 Rockford Road, 18 & 25 Cedarcroft Boulevard and 155 Antibes Drive, all properties on the east side of Bathurst Street between Dewlane Drive to the north and Drewry Avenue to the south, all properties on the south side of Dewlane Drive between Bathurst Street and Lissom Crescent, all properties on Lissom Crescent excluding Nos. 1 to 9, properties on Patricia Avenue between Bathurst and Laconia Drive, Nos. 446 to 456 & 500 to 504 Drewry Avenue, Nos. 8 to 24 Brill Crescent and Nos. 6 to 68 Marathon Crescent”.

(Report 5, Other Items Clause 51(f))

5.43 Preliminary Report – Rezoning Application – 05 120022 NNY 23 OZ – Gianni Regina, Cityscape Design Innovations – 225-235 Finch Avenue East (Ward 23 – Willowdale)

The North York Community Council considered a report (May 13, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted application and seeking Community Council’s directions on further processing of the application and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (May 13 2005) from the Director,

Community Planning, North District, subject to the notice area for the community consultation meeting being expanded to include, in addition to the 120 metre area, all residents and landowners within the area bounded by Estelle Avenue, Byng Avenue and Longmore Avenue, including all properties fronting onto these streets; and that the applicant pay the City for the costs associated with extending the notice area.

(Report 5, Other Items Clause 51(g))

Councillor Augimeri, Vice-Chair, assumed the Chair.

5.44 Preliminary Report – Official Plan Amendment and Rezoning Application – 05 122557 NNY 34 OZ and 04 110397 34 SA – Don-Greenbelt Developments – Atkins Group Corporation, Architects – 120 Dallimore Circle – (Ward 34 – Don Valley East)

The North York Community Council considered a report (May 12, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

The North York Community Council approved the staff recommendations in the Recommendations Section of the report (May 12, 2005) from the Director, Community Planning, North District.

(Report 5, Other Items Clause 51(h))

5.45 Preliminary Report – OPA & Rezoning Application – 05 118376 NNY 24 OZ – Lorne Ross Planning Services Inc. – Kohn Architects Inc. – 11 Ruddington Drive (Ward 24 – Willowdale)

The North York Community Council considered a report (May 16, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (May 16, 2005) from the Director, Community Planning, North District, with Recommendation (2) amended as follows:

- “(2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site and the notice area being extended to include all landowners and residents on Ruddington Drive up to Cummer Avenue, on Gemini Road, Colwick Drive and Tollerton Avenue from Ruddington Drive to Colwick Drive.”

(Report 5, Other Items Clause 51(i))

5.46 Extension of Interim Control By-law for the Bayview Institutions Area east of Bayview Avenue – 05 120876 TM (Ward 26 – Don Valley West)

The North York Community Council considered a report (May 9, 2005) from the Director, Community Planning, North District, reporting on an extension to Interim Control By-law No. 568-2004 for a one year period to complete a review of land use,

zoning regulations and alternative development scenarios for the Bayview Institutions located east of Bayview Avenue and north of Kilgour Road.

Recommendations:

It is recommended that City Council extend the period of time to complete the review of the Bayview Institutions Area Interim Control By-law Study for one year to July 22, 2006, effective July 22, 2005.

The North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (May 9, 2005) from the Director, Community Planning, North District.

(Report 5, Clause 37)

5.47 Final Report – Rezoning Application – 04 120202 NNY 23 OZ – Site Plan Application – 04 120210 NNY 23 SA – Tas Design Build – Core Architects Inc. – 19 Churchill Avenue (Ward 23 – Willowdale)

The North York Community Council commenced a statutory public meeting on March 30, 2005 and continued the public meeting on May 3, 2005 and notice was given in accordance with the *Planning Act*.

No one addressed the North York Community Council on March 30, 2005 since it was the decision of the North York Community Council to adjourn its public meeting until May 3, 2005.

No one addressed the North York Community Council at the continuation of the statutory public meeting on May 3, 2005 since a further statutory public meeting was being recommended.

The North York Community Council commenced a second statutory public meeting on May 31, 2005, and notice was given in accordance with the *Planning Act*.

No one addressed the North York Community Council on May 31, 2005, since a deferral was being recommended to allow further revisions to be made to the application pending Council's decision on the surplus lands at the rear of Canterbury Place.

The North York Community Council considered a report (March 4, 2005) from the Director, Community Planning, North District, reviewing and recommending approval of applications to amend the Zoning By-law and Site Plan Approval for an 18 storey apartment building with 5 street-related townhouses at the south-west corner of Churchill Avenue and Canterbury Place.

North York Community Council Minutes
Tuesday, May 31, 2005

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law 7625 for the former City of North York, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) require the owner, prior to introducing the necessary Bills to City Council for enactment, to:
 - (i) enter into a Section 37 Agreement to implement the following:
 - (a) density incentives of 232.5 m² for the provision of private amenity area for 19 Churchill Avenue;
 - (b) density incentives of 281 m² for the provision of bicycle storage for 19 Churchill Avenue;
 - (c) lands with an area of 1,275.30 m² (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (d) lands with an area of 112.8 m² (known municipally as 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (e) lands with an area of 1,440.5 m² (known municipally as 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (ii) convey to the City, part of Part xxx, Reference Plan xxx; and part of 27 Churchill Avenue, Part xxx, Reference Plan xxx; to the City for road purpose for the extension of Beecroft Road and Part xxx for road widening and corner rounding purpose on Churchill Avenue; and
 - (iii) convey to the City, Part xxx, Reference Plan xxx, (known municipally as 37 Churchill Avenue for parkland dedication; and
- (4) approve the plans and Conditions of Site Plan included as Attachment 10 and require the owner to enter into a Site Plan Agreement under Section 41 of the

North York Community Council Minutes
Tuesday, May 31, 2005

Planning Act based on the conditions and plans included as Attachment 10 prior to issuance of a building permit.

The North York Community Council also considered a supplementary report (April 29, 2005) from the Director, Community Planning, North District, providing a review of the Traffic Certification and providing an updated version of the draft zoning by-law.

Recommendations:

It is recommended that:

- (1) City Council amend the Zoning By-law for the former City of North York, substantially in accordance with the draft Zoning By-law Amendment (Attachment 1).
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Require the owner, prior to introducing the necessary Bills to City Council for enactment to:
 - (i) enter into a Section 37 Agreement to implement the following:
 - (a) density incentives of 231 m² for the provision of private amenity area for 19 Churchill;
 - (b) conveyance of lands with a density of 1,275 m², Part of Lot 13, R.P. 2057, (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (c) conveyance of lands with a density of 112.8 m², Part 3 of Plan 66R-21671 (known municipally as 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (d) conveyance of lands with a density of 1,436.8 m², Part 2 of Plan 66R-21671, (known municipally as 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (e) a monetary contribution paid prior to enactment of the proposed zoning by-law amendment toward the cost of land acquisition for the North York Centre Service Road for the proposed 287 m²

North York Community Council Minutes
Tuesday, May 31, 2005

density incentive, in accordance with the provisions of the Official Plan Amendment 557.

- (f) The owner agrees to the following as depicted on Plans dated April 28, 2005 and red-lined April 29, 2005:
- (1) Maximum of 107 storage lockers in underground parking levels, as shown on Plans A201, A202, and A202B
 - (2) Townhouse 01 with reduced basement level, as shown on Plan 202
 - (3) Outdoor landscaped amenity area and increased glazing at north-east corner of building on ground floor, as shown on red-lined Plan A203
 - (4) Mechanical space on ground and 2nd floors to be used exclusively for mechanical purposes, as shown on Plans A203 and A204
 - (5) Double-height lobby, as shown on Plan A204
 - (6) Floor to ceiling height of 4.5 metres for Unit 04 on the third floor, such ceiling height to apply to the entire area of the unit with the exception of the area 2 metres from the outside walls, which shall be 6 metres in height as shown on red-lined Plan A206.
- (ii) convey to the City, Part 2 of Plan 66R 21658 and Parts 4, 5, 7, 9, and 11 of Plan 66R 21671 to the City for service road, road widening and corner rounding purposes;
- (iii) convey to the City, Part 1 of Plan 66R-21671, (known municipally as 37 Churchill Avenue) for parkland dedication;
- (4) approve the plans and Conditions of Site Plan included as Attachment 5 and require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans prior to issuance of a building permit.

The North York Community Council also considered the following communications:

- (May 16, 2005) from Hazen Colbert;
- (May 12, 2005) from N. J. McAdie;
- (May 29, 2005) from George S. Belza, Partner, Analogica, on behalf of the Edithvale-Yonge Community Association; and
- (May 30, 2005) from Lee Ann Carver & Ken Carver.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council deferred consideration of this application to its next meeting on July 5, 2005.

(Report 5, Other Items Clause 51(j))

5.48 Final Report – Removal of Holding (H) Symbol – 05 109109 NNY 34 OZ – English Lane Homes Inc. – 39 Green Belt Drive (Ward 34 – Don Valley East)

The North York Community Council considered a report (May 12, 2005) from the Director, Community Planning, North District, reviewing and recommending approval of an application to amend the Zoning By-law to lift the Holding Symbol provisions as they relate to a parcel of land at the southern portion of a residential plan of subdivision formerly known as 39 Green Belt Drive to accommodate an 8-storey, 192-unit apartment building.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York to remove the Holding Symbol from the lands zoned RM6(85)(H) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2; and,
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council deferred the report to its next meeting on July 5, 2005.

(Report 5, Other Items Clause 51(k))

5.49 Request for Direction Report – Zoning By-law Amendment Application – TB ZBL 2003 0003 – Draft Plan of Subdivision - TB SUB 2003 0001 – Weston Consulting Group Inc. – Hunt Design Inc. – 0 Beffort Road (Ward 9 – York Centre)

The North York Community Council considered a report (May 11, 2005) from the Director, Community Planning, North District, advising North York Community Council of an appeal to the Ontario Municipal Board of the above rezoning and subdivision applications and seeking Council's direction to the City Solicitor to attend the Ontario Municipal Board to support the positions outlined in this report.

North York Community Council Minutes
Tuesday, May 31, 2005

Recommendation:

It is recommended that the City Solicitor and appropriate City staff be instructed to attend the Ontario Municipal Board to support the position outlined in this report.

The North York Community Council also considered communications:

- (May 25, 2005) from Chris Barnett, Davis & Company, Solicitor, on behalf of Avvro Developments Inc.;
- (May 25, 2005) from Charlotte Aguanno; and
- (January 4, 2005) from Angela and Donald Di Prospero.

Chris Barnett, Davis & Company, Solicitor, appeared before the North York Community Council, on behalf of Avvro Developments Inc.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council:

- (1) adopt the staff Recommendation in the Recommendation Section of the report (May 11, 2005) from the Director, Community Planning, North District; and
- (2) adopt the following Resolution:

“WHEREAS the developer has agreed to make a voluntary community contribution of \$300,000.00 for parks and/or streetscape improvements within Ward 9 to be determined by the local Councillor in consultation with City Staff; and

WHEREAS the parkland dedication required for the application is by cash-in-lieu;

THEREFORE BE IT RESOLVED THAT staff be directed to secure the \$300,000.00 voluntary contribution through a clause in the subdivision agreement and this clause to stipulate that this payment is due upon issuance of any building permit; and

FURTHER BE IT RESOLVED THAT the required cash-in-lieu of parkland dedication for this development be directed towards improvements to parkland within Ward 9 to the satisfaction of the General Manager, Parks, Forestry and Recreation Division, in consultation with the Ward Councillor”.

(Report 5, Clause 38)

5.50 Final Report – Part Lot Control Exemption Application No. 05 107815 NNY 08 PL (Phase 1) – Applicant: Walker Nott Dragecivic Associates Limited – 4700 Keele Street (Ward 8 – York West)

The North York Community Council considered a report (May 25, 2005) from the Director, Community Planning, North District, requesting exemption from Part Lot Control to allow 34 semi-detached dwelling units to be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) The application be approved for the Phase 1 lands only, as shown in Attachments 1 and 2;
- (2) The City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) The By-law shall expire one year from the date of enactment;
- (4) The appropriate City Officials be authorized and directed to register the By-law on title; and
- (5) The Owner shall provide a tax certificate that confirms that all municipal taxes have been paid.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2005) from the Director, Community Planning, North District.

(Report 5, Clause 39)

5.51 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of three ground signs at 3140 Dufferin Street (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (April 13, 2005) from the Director of Building and Deputy Chief Building Official, North District, reporting on a request by Albert Kruger of A-tec Signs, on behalf of De-Jure Consulting Inc., for a

variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of three ground signs at 3140 Dufferin Street.

Recommendations:

It is recommended that:

- (1) the request for the variance be approved, and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 13, 2005) from the Director of Building and Deputy Chief Building Official, North District, subject to:

- (1) the owner agreeing not to place, or allow to be placed, any temporary and/or A frame signs on the site; and
- (2) prior to the issuance of the sign permit, the owner will provide a letter of credit to the Municipal Standards Division in the amount of \$10,000.00 for a period of five (5) years to be applied towards the enforcement of the above condition.

(Report 5, Clause 40)

Councillor Augimeri, Vice-Chair, assumed the Chair.

5.52 Traffic Control Signal Relocation/Installation: Rowena Drive at Victoria Park Avenue (Ward 34 – Don Valley East)

The North York Community Council considered a report (April 25, 2005) from the Director, Transportation Services, North York District requesting to relocate the existing mid-block pedestrian traffic control signals on Victoria Park Avenue south of Rowena Drive, to the intersection of Victoria Park Avenue and Rowena Drive and undertake the modification of curbs and bus bays associated with this relocation.

Recommendations:

It is recommended that:

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (1) the mid-block pedestrian signals on Victoria Park Avenue, approximately 125 metres south of Rowena Drive, be removed;
 - (2) coincidental with recommendation (1):
 - (i) traffic control signals be installed at the intersection of Victoria Park Avenue and Rowena Drive;
 - (ii) the civil improvements identified in drawing no. NY-1578 be completed;
 - (3) the Toronto Transit Commission be requested to relocate adjacent stop locations to the Victoria Park Avenue/Rowena Drive intersection; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.

The North York Community Council also considered a petition submitted by Councillor D. Minnan-Wong, Ward 34 – Don Valley East, signed by 94 area residents in support of the installation of traffic lights and a bus stop at the corner of Rowena Drive and Victoria Park Avenue.

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (April 25, 2005) from the Director, Transportation Services, North District; and
- (2) direct the Acting General Manager, Transportation Services to tender the installation of the traffic control signals at the intersection of Victoria Park Avenue and Rowena Drive, on an urgent basis.

(Report 5, Clause 41)

5.53 Outstanding Capital Repairs and Security Issues at Mel Lastman Square

The North York Community Council considered a report (May 30, 2005) from the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation, reporting on the outstanding capital repairs and security issues at Mel Lastman Square.

Recommendations:

It is recommended that:

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (1) the Facilities and Real Estate (F&RE) and the Parks, Forestry and Recreation (PF&R) Divisions provide a list of outstanding capital repairs and security issues requiring a capital budget, to the future North York Community Council meeting, to be held on July 5, 2005; and
 - (2) the F&RE and PF&R Divisions provide a further report to clarify responsibility for capital repairs for exterior spaces at the Civic Centres, City Hall and Metro Hall.
 - A. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that the North York Community Council defer the report to its next meeting on July 5, 2005.
 - B. Councillor Shiner, Ward 24 – Willowdale, moved that the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation be requested to submit a report itemizing the outstanding capital repairs and security issues at Mel Lastman Square, their priority, and the cost involved.

(Report 5, Other Items Clause 51(l))

Councillor Minnan-Wong, resumed the Chair.

5.54 Declaration of Surplus – Additional Portion of 12 Canterbury Place (Ward 23 – Willowdale)

The North York Community Council considered a report (May 30, 2005) from the Chief Corporate Officer, providing comments on Motion (J(37)) as requested by Council at its meeting on May 17, 18 and 19, 2005, which Motion proposes declaring an additional portion of 12 Canterbury Place surplus to municipal requirements and authorizing the renegotiation of a Land Exchange Agreement between the City and 1402335 Ontario Ltd.

Recommendations:

It is recommended that the resolutions of Motion J(37) be deleted and replaced with the following:

“It is resolved that:

- (1) subject to the approval of Fire Services, a strip of land approximately 6.0 metres in width and approximately 71 metres in length along the east side of the proposed future North York Service Road and shown as Part 1 on the attached Sketch No. PS-2005-063 (the “Sketch”), be declared surplus; and an offer to purchase from 1402335 Ontario Ltd., the developer at the southwest corner of Churchill Avenue and Canterbury Place, be invited, conditional on the Official

North York Community Council Minutes
Tuesday, May 31, 2005

Plan at the time of closing of such exchange, not prohibiting disposal of the land and conditional on the City retaining an easement for maintenance, parking and access; and the Chief Corporate Officer be requested to report directly to City Council on the results of that process;

- (2) staff be authorized to renegotiate the terms of the Land Exchange Agreement, and report directly to City Council on the results of such negotiations;
- (3) City Council approve, as the approving authority under the *Expropriations Act*, the disposal of the property without giving the former owners from whom the land was expropriated the first chance to repurchase the land; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (May 27, 2005) from the City Clerk, advising that City Council, at its meeting on May 17, 18 and 19, 2005, referred the Motion to the North York Community Council for consideration at its meeting on May 31, 2005, and requested the City Solicitor, in conjunction with the Acting Executive Director of Facilities and Real Estate and the Chief Planner and Executive Director, City Planning, to submit a report to the North York Community Council for consideration with this Motion.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 30, 2005) from the Chief Corporate Officer, conditional upon any application for using these lands being approved by City Council.

(Report 5, Clause 42)

5.55 Ontario Municipal Board Hearing – Committee of Adjustment Application – 50 Weybourne Crescent (Ward 25 – Don Valley West)

The North York Community Council considered the following Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West, for consideration by the North York Community Council:

“WHEREAS on February 17, 2005 the Committee of Adjustment – North Panel heard a request by the owners of 50 Weybourne Crescent for variances seeking a GFA of 0.61; a 0.3m south side yard setback for the portion of the building exceeding 17m; 0.9m north side yard setback for the portion of the building exceeding 17m; circular driveway, walkway and eaves projection variances; and

North York Community Council Minutes
Tuesday, May 31, 2005

WHEREAS the Committee granted the applicant a modified approval of a GFA 0.56; walkway and eaves projection variances ONLY with conditions requiring a landscape plan illustrating appropriate landscape buffers to the north and south lot lines; and

WHEREAS the owner subsequently appealed this decision to the Ontario Municipal Board and a hearing has now been scheduled for June 28th; and

WHEREAS the City Planning Staff Report stated that the proposal, as submitted, was not an appropriate development of the lands and did not satisfy the general intent of the zoning by-law, and suggested major modifications;

THEREFORE BE IT RESOLVED THAT City Planning and Legal staff be authorized to attend at the Ontario Municipal Board hearing to uphold the Committee of Adjustment decision of February 17, 2005.”

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the Resolution.

(Report 5, Clause 43)

5.56 Sale of a Portion of the Closed Lane South of 523 – 537 Bedford Park Avenue and a Portion of the One Foot Reserve south of the Closed Lane (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 17, 2005) from the Chief Corporate Officer, reporting on authorizing the sale of part of the Lane closed by Township of North York By-law 11138, south of Lots 986 to 997, inclusive (the “Lane”) and part of the One-Foot Reserve south of the Lane (the “One-Foot Reserve”), all on Plan M-109, City of Toronto (formerly City of North York) and designated, as Parts 7 to 24 on the attached preliminary plan of survey prepared by City of Toronto, Survey and Mapping Section (the “Draft Reference Plan”).

Recommendations:

It is recommended that:

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (1) the Offer to Purchase submitted by Richard Henrik Igra and Linda Sue Igra to purchase part of the Lane and part of the One-Foot Reserve designated as Parts 13 and 19 on the Draft Reference Plan, in the amount of \$4,100.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (2) the Offer to Purchase submitted by Yim Ting Maggie Lam to purchase part of the Lane and part of the One-Foot Reserve designated as Parts 14 and 20 on the Draft Reference Plan, in the amount of \$5,200.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (3) the Offer to Purchase submitted by Richard Lindzon and Rana Lindzon to purchase part of the Lane and part of the One-Foot Reserve, designated as Parts 15 and 21 on the Draft Reference Plan, in the amount of \$5,200.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (4) the Offer to Purchase submitted by Nina Yael Miller to purchase part of the Lane and part of the One Foot Reserve designated as Parts 16 and 22 on the Draft Reference Plan, in the amount of \$5,200.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (5) the Offer to Purchase submitted by Karen Lynn Friedman to purchase part of the Lane designated as Part 7 on the Draft Reference Plan, for nominal consideration of \$2.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (6) the Offer to Purchase submitted by Shelly Goodman to purchase part of the Lane designated as Part 8 on the Draft Reference Plan, for nominal consideration of \$2.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (7) the Offer to Purchase submitted by Richard Lindzon and Rana Lindzon to purchase part of the Lane designated as Part 9 on the Draft Reference Plan, for nominal consideration of \$2.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (8) the Offer to Purchase submitted by Gary Ted Sherkey and Carole Ann Sherkey to purchase part of the Lane designated as Part 10 on the Draft Reference Plan, for nominal consideration of \$2.00, be accepted substantially on the terms and conditions outlined in the body of this report;
 - (9) that either one of the Chief Corporate Officer or the Director of Real Estate Services be authorized to accept the Offers to Purchase on behalf of the City;
 - (10) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;

- (11) the City Solicitor be authorized to complete the transactions on behalf of the City, including making payment of any necessary expenses and amending the closing and other relevant dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (12) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2005) from the Chief Corporate Officer.

(Report 5, Clause 44)

5.57 Surplus Land Declaration and Proposed Closing of a Portion of the Keswick Road and Plewes Road Road Allowance (Ward 9 – York Centre)

The North York Community Council considered a report (May 24, 2005) from the Acting General Manager, Transportation Services and Chief Corporate Officer, recommending that a portion of the Keswick Road and Plewes Road road allowance shown as Parts 1, 2 and 3 on the attached Sketch No. PS-2004-100b (collectively the “Highway”) be permanently closed and the portion of the Highway, shown as Parts 1 and 3 on said Sketch, be declared surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and following Council’s approval of a sale of a portion of the Highway, the Highway be permanently closed as a public highway;
- (2) following Council’s approval of a sale of a portion of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in

North York Community Council Minutes
Tuesday, May 31, 2005

accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and the North York Community Council hear any member of the public who wishes to speak to this matter of the proposed by-law to permanently close the Highway;

- (3) following closure of the Highway, easements be granted to any affected utility companies, for the existing utilities plant located in the Highway, or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser, with such costs to be determined by the appropriate utility companies;
- (4) a portion of the Highway, shown as Parts 1 and 3 on Sketch No. PS-2004-100b, be declared surplus to the City's requirements, and the Chief Corporate Officer be authorized to invite an offer to purchase from Avvro Developments Inc., the developer of the surrounding lands;
- (5) a portion of the Highway, shown as Part 2 on Sketch No. PS-2004-100b, be retained by the City for park purposes;
- (6) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills necessary to give effect thereto.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 24, 2005) from the Acting General Manager, Transportation Services and Chief Corporate Officer.

(Report 5, Clause 45)

5.58 Limiting Distance Agreement – Walter Saunders Memorial Park and the York Beltline, adjacent to 550 Hopewell Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 17, 2005) from the Chief Corporate Officer, reporting on obtaining authority to enter into a Limiting Distance Agreement to permit the property owner of 550 Hopewell Avenue a greater percentage of openings than the limiting distance provisions of Section 3.2.3.1 of the Ontario Building Code.

Recommendations:

It is recommended that:

- (1) the City enter into a Limiting Distance Agreement with the property owner of 550 Hopewell Avenue for a portion of Walter Saunders Memorial Park and the York Beltline, and on such terms and conditions, as are satisfactory to the General Manager of Parks, Forestry and Recreation, in a form and content acceptable to the City Solicitor; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2005) from the Chief Corporate Officer.

(Report 5, Clause 46)

5.59 Request for Authorization to Secure Property Requirements for the Widening of Leslie Street and Reconstruction of Vehicular Bridge over Leslie Street (Ward 24 – Willowdale)

The North York Community Council considered a report (May 27, 2005) from the Chief Corporate Officer, reporting on authorizing an exchange of property interests for the purpose of widening Leslie Street and relocating and reconstructing the vehicular bridge

North York Community Council Minutes
Tuesday, May 31, 2005

over Leslie Street just south of Sheppard Avenue East between the Canadian College of Naturopathic Medicine and the North York General Hospital (“NYGH”).

It is recommended that:

- (1) authority be granted for the City to enter into an agreement with the Institute of Naturopathic Education and Research/Canadian College of Naturopathic Medicine (“CCNM”), on the following terms and conditions and such other terms and conditions as the Chief Corporate Officer and the City Solicitor may deem advisable to protect the interests of the City:
 - (a) CCNM to convey fee simple title to the lands approximately shown as Part 10B on Drawing Number P-2 (attached) to the City, for nominal consideration of \$2.00;
 - (b) CCNM to grant permanent easements to the City over the lands approximately shown as Parts 8, 9 and 10A on Drawing Number P-2, for nominal consideration of \$2.00, for access, maintenance and repair, etc. of the bridge and staircase;
 - (c) CCNM to grant temporary construction easements to the City over the lands approximately shown as Parts 8, 10A and C on Drawing Number P-1 (attached), for nominal consideration of \$2.00;
 - (d) City to ensure that direct access to CCNM’s access entrance is maintained over the course of the construction period at all times to CCNM’s reasonable satisfaction;
 - (e) Proposed modifications to the private access road leading to the new bridge to be paid for by the City and the site restored to CCNM’s reasonable satisfaction;
 - (f) City to reimburse CCNM for its reasonable costs of obtaining pre-construction and post-construction surveys of CCNM’s buildings, to a maximum of \$8,200.00, excluding GST;
 - (g) City to be satisfied, in its sole discretion, with the environmental condition of the lands to be conveyed to the City (both in fee simple and by way of easement);
 - (h) Following completion of construction of the new bridge and demolition of the existing bridge, City to quitclaim any interest it may have acquired in the lands approximately shown as Part C on Drawing Number P-3 (attached), as a result of the existing bridge having been located thereon, for nominal consideration of \$2.00;

North York Community Council Minutes
Tuesday, May 31, 2005

- (i) City to reimburse CCNM for its reasonable legal fees and disbursements, to a maximum of \$15,000.00; and
 - (j) All of the foregoing is conditional upon all necessary approvals for the exchange of property interests being obtained from the Board of Directors of CCNM;
- (2) authority be granted for the City to enter into an agreement with NYGH on the following terms and conditions and such other terms and conditions as the Chief Corporate Officer and the City Solicitor may deem advisable to protect the interests of the City:
- (a) NYGH to convey fee simple title to the lands approximately shown as Parts I, J and K on Drawing Number P-2 to the City, for nominal consideration of \$2.00;
 - (b) NYGH to grant permanent easements to the City over the lands approximately shown as Parts 3, 5, 6 and M on Drawing Number P-2, for nominal consideration of \$2.00, for access, maintenance and repair, etc. of the bridge;
 - (c) NYGH to grant temporary construction easements to the City over the lands approximately shown as Parts 3, 4, 5, 6, A, B, F and N on Drawing Number P-1, for nominal consideration of \$2.00;
 - (d) NYGH to grant temporary construction access easements to the City over the lands approximately shown as Parts G and H on Drawing Number P-1, for nominal consideration of \$2.00;
 - (e) City to ensure that direct access to NYGH's emergency access entrance is maintained over the course of the construction period at all times to NYGH's satisfaction;
 - (f) Proposed modifications to the private access road leading to the new bridge to be paid for by the City and the site restored to NYGH's reasonable satisfaction;
 - (g) Subject to compliance with the requirements of the *Municipal Act, 2001*, City to close and convey fee simple title to a portion of the public highway approximately shown as Part L on Drawing Number P-2 and also shown as Part 1 on Sketch No. PS-2005-035 (being the lands upon which the easterly abutment of the existing bridge is currently located), to NYGH, for nominal consideration of \$2.00;

North York Community Council Minutes
Tuesday, May 31, 2005

-
- (h) City to reimburse NYGH for its reasonable costs of obtaining pre-construction and post-construction surveys of NYGH's buildings, to a maximum of \$8,200.00, excluding GST;
 - (i) City to be satisfied, in its sole discretion, with the environmental condition of the lands to be conveyed to the City (both in fee simple and by way of easement);
 - (j) City to reimburse NYGH for its reasonable legal fees and disbursements, to a maximum of \$15,000.00; and
 - (k) All of the foregoing is conditional upon all necessary approvals for the exchange of property interests being obtained from the Board of Directors of NYGH and the Ministry of Health;
- (3) the City Solicitor be authorized to complete the transactions on behalf of the City, including payment of any necessary expenses; and
 - (4) the appropriate City Officials be authorized and directed to take necessary action to give effect thereto.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 27, 2005) from the Chief Corporate Officer.

(Report 5, Clause 47)

5.60 Info Pillar Signage – Request for Approval of Site Specific Exemption from Chapter 297, Signs, of the former City of Toronto Municipal Code and Metro By-laws 118 and 211-79, to permit 2 illuminated info pillar signs, for direction and information purposes – 05 131533 ZSV (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 26, 2005) from the Director of Building and Deputy Chief Building Official, reviewing the application by Astral Media Outdoor on behalf of the Tourism Division of the City of Toronto for

North York Community Council Minutes
Tuesday, May 31, 2005

approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code and Metro By-laws 118 and 211-79, to permit the installation of 2 ground signs, one being in the park located at Yonge Street and St. Clements Avenue and the second to be located in the park located at Eglinton Avenue West and Oriole Parkway.

It is recommended that:

- (1) City Council approve this application and exempt the proposed 2 illuminated ground signs from Chapter 297 of the former City of Toronto Municipal Code and Metro By-laws 118 and 211-79; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Chief Building Official.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 26, 2005) from the Director of Building and Deputy Chief Building Official.

(Report 5, Clause 48)

5.61 Removal of Objection to Liquor Licence – 2915 Dufferin Street – Dilan Coffee House (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered the following Resolution submitted by Councillor Moscoe, Ward 15 –Eglinton-Lawrence, for consideration by the North York Community Council:

“WHEREAS City Council has objected to a liquor licence at 2915 Dufferin Street – Dilan Coffee House; and

WHEREAS the owner has agreed to support conditions being placed on his licence.

THEREFORE BE IT RESOLVED THAT City Council withdraw its objections to this application subject to the liquor licence being issued with the following conditions:

-
- (1) the establishment will close at midnight save and except New Year's Eve; and
 - (2) entertainment will only be permitted on New Year's Eve."

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the Resolution.

(Report 5, Clause 49)

5.62 Ontario Municipal Board Hearing – Committee of Adjustment Application – 117 Wedgewood Drive (Ward 24 – Willowdale)

The North York Community Council considered the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale.

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) approved an application by Amir Iravani, the owners of 117 Wedgewood Drive, for the construction of a new two storey single family dwelling. The existing dwelling would be demolished;

WHEREAS the Committee of Adjustment for the City of Toronto (North District) approved the two associated variance applications requesting variances for finished first floor height and the elevation of the floor entrance of the garage to be located below the established grade;

WHEREAS staff wrote a report but did not take a position on the matter;

THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to authorize City legal staff to appeal the minor variance application on behalf of the City of Toronto;

AND BE IT FURTHER RESOLVED THAT Council direct the City Solicitor to authorize City legal staff to retain outside Planning Support and attend the Ontario Municipal Board hearing to uphold the City's By-law and oppose the minor variance application.”

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended that City Council adopt the Resolution.

(Report 5, Clause 50)

5.63 Style of Staff Reports

The North York Community Council agreed with Councillor Moscoe's request to place the following Motion on the agenda for its meeting on July 5, 2005.

“WHEREAS staff reports like those on applications for front yard parking, driveway widening and tree removal applications usually contain, within the body of the report, a specific set of recommendations for or against approval; and

WHEREAS recently in North York and increasingly, the style of these reports has been changed to provide optional, either/or sets of recommendations at the beginning of the report; and

WHEREAS this style often generates the impression that there is no council policy and undermines the professional integrity of staff reports;

THEREFORE BE IT RESOLVED THAT in the future, all reports tabled at the North York Community Council contain only a single set of recommendations that reflect the staff recommendations within the body of the report; and

BE IT FURTHER RESOLVED THAT this policy be recommended to Council to be adopted as a general policy by the City for all reports;

Or alternatively

North York Community Council Minutes
Tuesday, May 31, 2005

BE IT RESOLVED THAT the style of recommendations in traffic calming reports be adjusted to conform with the style of recommendations in front yard parking, driveway widening and tree removal application reports.”

(Report 5, Other Items Clause 51(m))

Adjournment:

The North York Community Council adjourned its meeting at 4:35 p.m. on Tuesday, May 31, 2005.

Chair